

**Senate Bill 994 Public Health - Mental Health Advance Directives –
Awareness and Statewide Database**

Finance Committee

March 22, 2022

Position: SUPPORT

The Mental Health Association of Maryland is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health, mental illness and substance use. We appreciate this opportunity to present testimony in support of Senate Bill 994.

SB 994 requires the Maryland Department of Health to develop and implement a public awareness campaign to encourage the use of mental health advance directives. It also requires the establishment of a readily accessible centralized database of mental health advance directives to assist providers in responding to individuals experiencing a behavioral health crisis.

A mental health advance directive (MHAD) is a legal document that allows a person with a mental illness to state their wishes and preferences in advance of a mental health crisis. These documents provide for more patient-centered care and can help resolve crises more quickly, appropriately, and without coercion. They allow individuals to clarify treatment preferences and crisis planning and often include and involve family members and social support networks. MHADs may include specific wishes regarding treatment; preferred hospitals and service providers; persons authorized to make health decisions and with whom information may be shared; alerts to allergies, adverse reactions, and medication issues; desired visitors; and more.

Mental Health Association of Maryland offers a number of resources and tools on its website to assist individuals in learning about and effectuating an MHAD. This includes FAQs, instructions, and a downloadable MHAD template that was developed in consultation with the Maryland Department of Health, providers, consumers, and advocacy groups.¹

Despite the benefits of MHADs, widespread support for their use, and a variety of studies recommending that clinicians facilitate the completion of these documents, the rate of usage remains frustratingly low.² SB 994 will help by increasing awareness of the availability and benefits of MHADs and by making it easier for clinicians to access them. The bill promotes patient autonomy and patient-centered care, and it will facilitate a more informed and open dialogue between patients and their treatment providers.

For these reasons, Mental Health Association of Maryland supports Senate Bill 994 and urges a favorable report.

¹ <https://www.mhamd.org/information-and-help/adults/advance-directives/#:~:text=A%20Mental%20Health%20Advance%20Directive,of%20a%20mental%20health%20crisis>

² Table B, Thomas J, Brown VA. Psychiatric Advance Directives as an Ethical Communication Tool: An Analysis of Definitions. J Clin Ethics. 2020 Winter;31(4):353-363. PMID: 33259340.

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